

FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000

SB 185/a

February 4, 2000

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 185

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, line 14, strike Section 4 in its entirety and insert in lieu thereof the following new section:

"Section 4. CUSTOMER PROTECTIONS.--No later than December 31, 2000, the commission shall adopt rules that establish minimum consumer protections applicable to telecommunications providers in New Mexico. The rules shall at a minimum address:

A. prohibitions against retaliation by telecommunications providers against a consumer for any complaint made by the consumer to the commission or any other person, public or private;

B. contents of consumer bills;

C. bill payment standards;

D. finance, carrying, penalty and special services charges;

E. allocation of payments between services;

F. toll blocking for non-payment of charges for basic services;

G. security deposits, payment guarantees;

H. procedures by telecommunications providers for handling complaints;

I. procedures by the commission for handling consumer complaints;

J. procedures for discontinuance and restoration of

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

SJC/SB 185

Page 2

service;

K. procedures for resolution of billing disputes;

L. methods for making information on telecommunications services and rates more available to the public;

M. procedures to ensure that consumer proprietary information is not released to any other person, organization, corporation or affiliate without the express and affirmative consent of the consumer, except:

(1) information of the type generally included in telephone directories;

(2) aggregate information from which the identity of no consumer or small group of consumers can be discerned;

(3) information provided to law enforcement agencies in connection with the performance of their duties; and

(4) other consumer information for which release is determined, by the commission, to be necessary and appropriate;

N. reasonable compensation to consumers for poor public telecommunications service quality; and

O. provision to affected consumers with prior written notice of changes in rates, terms or conditions of public telecommunications services provided by the telecommunications provider and allowance of cancellation by the affected consumers of the affected telecommunications service within ten business days of receiving the notice."

2. On page 6, between lines 1 and 2, insert the following new section:

"Section 5. RESERVATION OF RIGHTS AND REMEDIES.--Nothing in the Telecommunications Consumer Bill of Rights Act, or in rules promulgated pursuant to that act, shall be construed to limit any rights, remedies or causes of action available to the state or private parties under any other state or federal law."

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

SJC/SB 185

Page 3

3. Renumber the succeeding sections accordingly.,
and thence referred to the **FINANCE COMMITTEE.**

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against
Yes: 6
No: 0
Excused: Aragon, Tsosie
Absent: None

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